

proceed to legislative session and be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### NOMINATION REFERRAL

Mr. WARNER. Mr. President, I ask unanimous consent that the attached correspondence be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.S. SENATE,  
SELECT COMMITTEE ON INTELLIGENCE,  
Washington, DC, April 12, 2021.

Hon. CHARLES E. SCHUMER,  
Majority Leader, U.S. Senate,  
Washington, DC.

DEAR SENATOR SCHUMER: Consistent with S. Res. 400 of the 94th Congress, as amended by S. Res. 4, 95th Cong. (1977); S. Res. 445, 108th Cong. (2004); Pub. L. No. 109-177, § 506, 120 Stat. 247 (2006); S. Res. 50, 110th Cong. (2007); and S. Res. 470, 113th Cong. (2014), we request that the nomination of the position of National Cyber Director, as created in Section 1752 of the National Defense Authorization Act for Fiscal Year 2021 (P.L. 116-283), be referred to the Senate Select Committee on Intelligence.

Sincerely,

MARK R. WARNER,  
Chairman.  
MARCO RUBIO,  
Vice Chairman.

#### TRIBUTE TO JUDGE TOD KAUFMAN

Mr. MANCHIN. Mr. President, I rise today to honor longtime Kanawha County Circuit Judge Tod Kaufman upon his retirement after more than 32 remarkable years of service to the 13th Judicial Circuit.

I have often said there is no greater accomplishment than to find yourself in a position to give back to the community you love. As a Charleston native, Judge Kaufman has served the people of Kanawha County with professionalism, fairmindedness, and great respect from the day he took office in 1988.

Following his undergraduate education, he worked as a paralegal in the Washington, DC, law firm of Covington & Burling and received a law degree from West Virginia University College of Law in 1980. He served a clerkship on the U.S. Tax Court during law school before joining his late father's Charleston law firm of Kaufman & Ratliff in 1980. Prior to his appointment as judge, he served as my colleague in the State legislature and was appointed to the State senate in 1982 by then-Governor Jay Rockefeller and was elected in 1984. Judge Kaufman's lectured internationally at prestigious law schools and conferences and is a former member of the Mass Litigation Panel of the West Virginia Supreme Court and past president and executive officer of the West Virginia Judicial Association.

Shortly after graduating law school, Judge Kaufman tragically lost his par-

ents, former Senator and World War II veteran Paul Kaufman and Rose, and brother, Steven, in a car accident. I know their unflinching love and influence had a tremendous impact on the person he was to become. Both of his parents were extremely active in their community and passionate about many social issues. I will always be personally grateful to them that they passed their work ethic and compassion on to Judge Kaufman, because he has done so much good in our home State due to their influence. In 2011, the 35th Street Bridge over the Kanawha River between the East End and Kanawha City was renamed in their honor, and I am certain they would be so very proud of Judge Kaufman's legacy and personal values.

Throughout the years, Judge Kaufman has witnessed the drastic changes in the judicial landscape. Technology in the courts has played a crucial role, especially with current events as they are, but Judge Kaufman has always promoted the value of interpersonal communication and protecting the humanism in our court processes. He has been fiercely protective of the interests of the people in front of him in the courtroom, acknowledging the heavy responsibility of representing the justice system. He and I served in the State senate together, and in the many years I have called him a friend, Judge Kaufman has never taken his position lightly and has always seen himself primarily as a servant of the people of Kanawha County and of West Virginia. His view of the law is something I will always admire, and I know it has also inspired countless young judges and lawyers.

I will always be grateful to Judge Kaufman for his years of friendship and our shared passion for serving the people of West Virginia. While he is retiring and everyone is sure to miss his strong leadership, Judge Kaufman's unwavering dedication will leave a lasting legacy with the countless lives he has touched. Again, I congratulate him for his remarkable years of service, and I am honored to wish good health and much happiness to Judge Kaufman, his wife Barrie, and their daughters, Paula, Caroline, and Sophia, in the days and years ahead.

#### ADDITIONAL STATEMENTS

##### REMEMBERING DR. DAVID C. WHERRY

• Mrs. FISCHER. Mr. President, I would like to take a moment to recognize the remarkable life of Dr. David Wherry.

Born in Pawnee City, NE, he was the son of the former Nebraska Senator Kenneth S. Wherry, who served as the minority leader here in the U.S. Senate.

Dr. Wherry attended Doane College in Crete, NE, before enrolling at the U.S. Naval Academy.

He then chose to go into the medical profession.

Little did he know the major impact he would have in this field.

After graduating from George Washington University with his medical degree and completing his surgical training, he was commissioned as a Medical Corps officer in the U.S. Air Force.

He then moved overseas for his residency, taking a position as a surgical doctor at the 7559th USAF Hospital in Burtonwood, United Kingdom.

He spent more than 2 years there before returning to the United States to become a teacher at George Washington University and later also at Georgetown University.

After years of teaching, Dr. Wherry returned to Active Duty during Operation Desert Storm and retired in 1993 as a colonel.

Following his years of service to our country, he returned to teaching and academic research.

Dr. Wherry became renowned in the medical world as a leading innovator in minimally invasive surgery, such as laparoscopic cholecystectomy on the gallbladder.

In his research in this area, he published over 50 manuscripts, 3 book chapters, and produced 2 films.

Additionally, he helped found laparoscopic cholecystectomy courses for servicemembers and trained thousands of military surgeons.

I want to note that Dr. Wherry was one of the first doctors in the United States to perform colonoscopies, making him a leading expert in this procedure that is performed on so many Americans and is vital in helping to detect and catch diseases like colon cancer.

International work was important to him, and he was successful in helping bring humanitarian aid to hospitals in the Philippines.

He also collaborated with the Uniformed Services University of the Health Sciences, USUHS, and with the University of the Philippines/Philippine General Hospital in bringing surgical residents to do scientific research at USUHS as well as arranged exchanges between medical students for training purposes.

He wanted to share and expand on his work by collaborating with others, so he helped found the Society of American Gastrointestinal Endoscopic Surgeons.

He was a member of the Société Internationale de Chirurgie and International Biliary Association.

On top of all of these efforts, he continued to be a senior surgical consultant to the medical division of the U.S. Department of State.

His work and dedication to improving surgeries around the world and for our military men and women has been recognized by the State Department and the Department of Defense.

Both agencies presented him with their Meritorious Honor Award.

In addition to his place as a leader in the medical world, he was also a dedicated husband and father.

His wife, Azucena "Ceny" Wherry, was an RN whom he married in 1975.

His son, Kenneth D. Wherry, followed in his father's footsteps and joined the military to serve his country, retiring as a lieutenant colonel.

Dr. David Wherry represents the best of Nebraska.

He was a hard worker who was not afraid to put in long hours.

Because of his dedication to studying and advancing medicine, he changed the world for the better.

I join all Nebraskans in honoring Dr. Wherry's life and recognizing his faithful service to our Nation and his incredible contributions to medicine.●

#### 67TH LEGISLATIVE ASSEMBLY OF NORTH DAKOTA SENATE CON- CURRENT RESOLUTION NO. 4010

● Mr. HOEVEN. Mr. President, I ask unanimous consent to have printed in the RECORD, North Dakota Senate Concurrent Resolution No. 4010 as passed by the Sixty-seventh Legislative Assembly of North Dakota.

The material follows:

SIXTY-SEVENTH LEGISLATIVE ASSEMBLY OF  
NORTH DAKOTA IN REGULAR SESSION COM-  
MENCING TUESDAY, JANUARY 5, 2021

SENATE CONCURRENT RESOLUTION NO. 4010

(Senators Clemens, Myrdal)

(Representative Rohr)

A concurrent resolution clarifying the 1975 ratification by the 44th Legislative Assembly of the proposed 1972 Equal Rights Amendment to the Constitution of the United States only was valid through March 22, 1979.

Whereas, the 92nd Congress of the United States of America, during its second session, with the constitutionally required vote of two-thirds of both houses, on March 22, 1972, gave final approval to House Joint Resolution No. 208, commonly referred to as the Equal Rights Amendment, to propose the amendment to the Constitution of the United States, pursuant to Article V of the Constitution of the United States; and

Whereas, in offering the proposed federal constitutional amendment to America's state lawmakers, the 92nd Congress chose a deadline of 7 years, or until March 22, 1979, for the constitutionally mandated ratification of the amendment by three-fourths of the country's state legislatures; and

Whereas, in Senate Concurrent Resolution No. 4007, the regular session of the 44th Legislative Assembly in 1975, responded by ratifying the proposed 1972 Equal Rights Amendment to the Constitution of the United States; now, therefore, be it

*Resolved* by the Senate of North Dakota, the House of Representatives concurring therein:

That the 67th Legislative Assembly deems that the vitality of Senate Concurrent Resolution No. 4007 of the 44th Legislative Assembly by which North Dakota lawmakers ratified the 1972 Equal Rights Amendment, officially lapsed at 11:59 p.m. on March 22, 1979; and be it further

*Resolved*, that, after March 22, 1979, the Legislative Assembly, while in agreement women and men should enjoy equal rights in the eyes of the law, should not be counted by Congress, the Archivist of the United States, lawmakers in any other state, any court of law, or any other person, as still having on record a live ratification of the proposed

Equal Rights Amendment to the Constitution of the United States as was offered by House Joint Resolution No. 208 of the 92nd Congress on March 22, 1972; and be it further

*Resolved*, that the 67th Legislative Assembly respectfully requests the full and complete verbatim text of this resolution be duly published in the United States Senate's portion of the Congressional Record, as an official memorial to the United States Senate, and that this resolution be referred to the committee of the United States Senate with appropriate jurisdiction over its subject matter; and be it further

*Resolved*, that the 67th Legislative Assembly respectfully requests the substance of this resolution be duly entered in the United States House of Representatives' portion of the Congressional Record, as an official memorial to the United States House of Representatives, and that this resolution be referred to the committee of the United States House of Representatives with appropriate jurisdiction over its subject matter; and be it further

*Resolved*, that the Secretary of State forward copies of this resolution to the Vice President of the United States, the secretary and parliamentarian of the United States Senate; the Speaker, clerk, and parliamentarian of the United States House of Representatives; each member of the North Dakota Congressional Delegation; and the Archivist of the United States at the National Archives and Records Administration in Washington, D.C.

BRENT SANFORD,  
*President of the Sen-  
ate.*

SHANDA MORGAN,  
*Secretary of the Sen-  
ate.*

KIM A. KOPPELMAN,  
*Speaker of the House.*

BUELL J. REICH,  
*Chief Clerk of the  
House.*

Filed in this office this 24th day of March,  
2021, at 3:23 o'clock p.m.

ALVIN A. JAEGER,  
*Secretary of State.*●

#### RECOGNIZING THE UTAH DIAPER BANK

● Mr. LEE. Mr. President, today I offer my recognition of the unique service of the Utah Diaper Bank to the people of Utah and, specifically, to the children of our great State. Their service, now spanning nearly a decade, officially started in March 2013 when a few dedicated individuals recognized the necessity for an organized, community-based approach to collecting and distributing diapers. Today, after years of careful planning and hard work, hundreds of thousands of diapers are being distributed throughout Utah to those who need them.

Some years ago, Victor Velivis, a Utah information technology professional, was watching television when he noticed an advertisement placed by a crisis nursery. The nursery requested diapers, not to stockpile them, but because they were out—flat out—of diapers. Vic donated what diapers he could and kept tabs on the nursery for a year. A year later, the same nursery ran out again. Puzzled, he set out to investigate.

After investigating, Vic realized that safety-net programs such as the food

stamp program and Special Supplemental Nutrition Program for Women, Infants and Children do not cover the cost of diapers. He also realized that low-income parents cannot take advantage of free or subsidized childcare if they cannot afford to leave diapers at childcare centers. This prevents parents from accessing daycare and prevents them from being able to work or attend school on a consistent basis.

Vic began to think about alternatives. What about cloth diapers? he thought. He soon realized, however, that most people living in poverty do not have access to washing facilities. Thus, they are unable to use cloth diapers for health and sanitary reasons.

The more he learned, the more Vic realized how hard it can be for parents in need to put diapers on their children.

In some Utah families, children suffer multiple days in the same diaper. Not only is this tremendously uncomfortable, it also puts the child at risk of serious illness and disease. In fact, according to one expert source, to prevent complications, it is recommended that parents change their newborn baby's diaper every 2 to 3 hours. That is 8 to 12 diapers each day; and, at about 25 cents per diaper, a total of nearly 100 dollars per month. But what if you can't afford that? The Utah Diaper Bank was created to address this problem directly.

The Utah Diaper Bank serves the needs of infants and young children by overseeing an organized approach to collecting and distributing diapers to organizations and individuals who need them. The bank fulfills this mission by supporting diaper drives, collecting and stockpiling diapers, and then distributing diapers throughout the State. What began as a loosely connected group of friends operating out of their homes, now operates out of a warehouse and distributes hundreds of thousands of diapers annually.

The Covid-19 pandemic has exacerbated demand for the services provided by the Utah Diaper Bank. In early 2020, the Utah Diaper Bank was shipping 50,000 diapers a month with a target of 500,000–750,000 for the year. Then, once the pandemic had hit, they started shipping well over 100,000 per month. By the end of 2020, they had shipped over 880,000. They have never seen demand for diapers like they are seeing now. Yet, they continue to succeed in fulfilling their mission.

The most remarkable part of the operation of the Utah Diaper Bank is that they operate without any paid staff. Their team is made up entirely of volunteers. Further, they receive neither private nor government grants and operate on a strict collection-distribution model.

The folks at the Utah Diaper Bank undeniably deserve recognition for their devout service to the people of Utah. It is my unique privilege to honor them today.●